



IPW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Thierry PONTON

Group Art Unit: 3754

Application No.: 10/730,044

Examiner: P. DERAESHANI

Filed: December 9, 2003

Docket No.: 117889

For: DISPENSER DEVICE INCLUDING MEANS ENABLING TWO SUBSTANCES TO  
BE DISPENSED IN VARYING PROPORTIONS

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


In reply to the May 3, 2006 Election of Species Requirement, Applicant provisionally elects species I directed to figures 1-5. The election is made with traverse.

In further response to the Election of Species Requirement, Applicant respectfully asserts that all claims are generic to the elected species. Furthermore, Applicant respectfully asserts that at least claims 1-29 and 33-51 read on the elected species.

Applicant traverses the election of species requirement on the ground that the generic claims are not so broad as to place an undue burden on the Patent Office to search and examine the full scope of the claims. Rather, search and examination of the entire application could be conducted without undue burden on the Examiner, thus avoiding delay and expense to Applicant and the Office.

Applicant further understands however, that upon search, examination and allowance of claims encompassing the elected species, search and examination will continue as to the non-elected species.

Respectfully submitted,



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WPB:KLK/ccs

Date: June 5, 2006

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